

AUTO CR - LOG SUMMARY #1052405

TYPE: CR

Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	(None Entered)		

Reporting Party Information

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD Reporting Party Victim						M	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
21-JAN-2012 01:20 - 21-JAN-2012 01:20		1433	014	304 - STREET	

Accused Members

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee Accused	ELARDE-HATZIS, BABETTE	14574		189 /	POLICE OFFICER	OFF Duty	The reporting party alleged that he was involved in a traffic accident, with the accused, at which time she called her friends to the scene. Her friends arrived on the scene and attempted to intimidate him, in that they took pictures of him and his license plates. The accused failed to call "911" to report the accident, she refused to exit her vehicle and did not check to see if he or any of his passengers needed medical attention. The reporting party alleged that the accused gave a false testimony in court. The accused testified that he struck her vehicle and the intersection was not properly marked. Traffic Accident: RD
CPD Employee Accused	GAVIN, JAMES			014 /	SERGEANT OF POLICE	ON Duty	The reporting party alleged that the accused attempted to convince the officer on the scene not to issue the off-duty officer a ticket.
CPD Employee Accused	UNKNOWN,					OFF Duty	

Other Involved Parties

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee Witness	BUTZEN, JULIE A	8582		014 /	POLICE OFFICER	F	WHI		

Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Victim		GAVIN, JAMES	NO RELATIONSHIP
Reporting Party Victim		ELARDE-HATZIS, BABETTE	NO RELATIONSHIP
Reporting Party Victim		UNKNOWN,	NO RELATIONSHIP
Reporting Party Victim		BUTZEN, JULIE A	NO RELATIONSHIP

Incident Details

CR Required?		Manner Incident Received?	BELL
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N

Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Civil Suit Settled Date:	
Notify Chief Administrator?	N	Notify Chief?	
Notify Coordinator?		Notification Does Not Apply?	Y
Notification Other?	N		
Notification Comments:			

Incident Category List

Incident Category	Primary?	Initial?
07Z - GROUP 07 - TRAFFIC (NOT BRIBERY/EXCESSIVE FORCE) MISCELLANEOUS	Y	Y
07Z - GROUP 07 - TRAFFIC (NOT BRIBERY/EXCESSIVE FORCE) MISCELLANEOUS	Y	N

Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
COCHRAN, TERRANCE	Primary	GENERAL INVESTIGATION SECTION	16-MAR-2012	15-APR-2012	16-MAR-2012	0
CALDWELL, DAVID	Primary	GENERAL INVESTIGATION SECTION	16-MAR-2012	15-APR-2012	04-APR-2012	19
PIONKE, JOSEPH	Supervisor	GENERAL INVESTIGATION SECTION	16-MAR-2012	15-APR-2012	04-APR-2012	
CANNIZZO, STEVEN	Supervisor	GENERAL INVESTIGATION SECTION	16-MAR-2012	15-APR-2012	16-MAR-2012	

Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
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Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
ELARDE-HATZIS, BABETTE	1	The complainant, [REDACTED], alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. That Police Officer Babette ELARDE-HATZIS, failed to call 911 after the accident.	010 GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY)	NEGLECT OF DUTY	EXONERATED
ELARDE-HATZIS, BABETTE	2	The complainant, [REDACTED], alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. That Police Officer Babette ELARDE-HATZIS the accused failed to exit her vehicle to render aid to anyone involved in the accident.	010 GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY)	NEGLECT OF DUTY	EXONERATED
ELARDE-HATZIS, BABETTE	3	The complainant, [REDACTED], alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. That Police Officer Babette ELARDE-HATZIS the accused gave false testimony in court, stating that he struck her vehicle.	010 GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY)	NEGLECT OF DUTY	EXONERATED
GAVIN, JAMES	1	The complainant, [REDACTED], alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. Unknown Male/White Sergeant, attempted to convince the on duty officer on the scene to not issue off duty Police Officer Babette ELARDE-HATZIS a traffic citation.	007 GROUP 07 - TRAFFIC (NOT BRIBERY/EXCESSIVE FORCE)	MISCELLANEOUS	EXONERATED

Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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Status History

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/FINAL	03-MAY-2012 01:13	SPARKS, SHERELL	POLICE AGENT	121 /	
PENDING IMPLEMENT ACTION	03-MAY-2012 12:01	SPARKS, SHERELL	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	03-MAY-2012 06:47	CALLOWAY, KEITH	DEP CHIEF	188 /	
PENDING COMMAND CHANNEL REVIEW	18-APR-2012 02:58	ESCALANTE, JOHN	DEP CHIEF	142 / 213	
PENDING COMMAND CHANNEL REVIEW	18-APR-2012 11:14	FLORES, LINDA	COMMANDER	014 /	
PENDING COMMAND CHANNEL REVIEW	12-APR-2012 03:45	O GRADY, JAMES	COMMANDER	189 /	
PENDING COMMAND CHANNEL REVIEW	12-APR-2012 09:37	ROWAN, JAMES	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE REVIEW	12-APR-2012 09:35	SPARKS, SHERELL	POLICE AGENT	121 /	
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	06-APR-2012 07:39	BRODERDORF, RAY	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	06-APR-2012 07:25	CANNIZZO, STEVEN	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	04-APR-2012 07:15	CALDWELL, DAVID	POLICE AGENT	121 /	
PENDING INVESTIGATION	16-MAR-2012 02:23	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	reassigned and swapped
PENDING INVESTIGATION	16-MAR-2012 11:08	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	15-MAR-2012 10:32	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	
PENDING APPROVE TEAM	09-MAR-2012 11:36	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	08-MAR-2012 01:07	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	08-MAR-2012 01:06	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PRELIMINARY	08-MAR-2012 01:05	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	not to
PENDING SUPERVISOR REVIEW	08-MAR-2012 12:40	TOPPINS, YOLANDA	INTAKE AIDE	113 /	
PRELIMINARY	08-MAR-2012 11:56	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	08-MAR-2012 10:25	TOPPINS, YOLANDA	INTAKE AIDE	113 /	
PRELIMINARY	08-MAR-2012 08:52	TOPPINS, YOLANDA	INTAKE AIDE	113 /	

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	INVESTIGATION					CALDWELL, DAVID	19-MAR-2012 07:03			
1	FACE SHEET					TOPPINS, YOLANDA	08-MAR-2012 08:52			
2	CONFLICT CERTIFICATION					CALDWELL, DAVID	19-MAR-2012 07:03			
3	DOCUMENTS - INVESTIGATION		1	Signed Sworn Affidavit	Y	CALDWELL, DAVID	23-MAR-2012 10:17	APPROVED		
4	DOCUMENTS - INVESTIGATION		1	Signed Affidavit Report	Y	CALDWELL, DAVID	23-MAR-2012 10:19	APPROVED		
5	DOCUMENTS - INVESTIGATION		4	Statement of [REDACTED]	Y	CALDWELL, DAVID	23-MAR-2012 10:21	APPROVED		
6	DOCUMENTS - INVESTIGATION		2	[REDACTED]	Y	CALDWELL, DAVID	23-MAR-2012 10:23	APPROVED		
7	DOCUMENTS - INVESTIGATION		3	Mailed Certified Letter 19 Mar 12	Y	CALDWELL, DAVID	23-MAR-2012 10:27	APPROVED		
8	ACCUSED NOTIFICATION OF ALLEGATIONS	ACCUSED - GAVIN, JAMES				CALDWELL, DAVID	23-MAR-2012 07:15	PENDING ACCUSED REPORT		
9	DOCUMENTS - INVESTIGATION		1	Report of Sergeant James GAVIN	Y	CALDWELL, DAVID	03-APR-2012 06:53	APPROVED		
10	ACCUSED NOTIFICATION OF ALLEGATIONS	ACCUSED - ELARDE-HATZIS, BABETTE				CALDWELL, DAVID	23-MAR-2012 07:18	PENDING ACCUSED REPORT		
11	DOCUMENTS - INVESTIGATION		1	Report of Police Officer Babette ELARDE-HATZIS	Y	CALDWELL, DAVID	03-APR-2012 06:55	APPROVED		
12	WITNESS NOTIFICATION					CALDWELL, DAVID	23-MAR-2012 07:22	PENDING WITNESS REPORT		
13	DOCUMENTS - INVESTIGATION		1	Report of Police Officer Julie BUTZEN, Star 8582	Y	CALDWELL, DAVID	03-APR-2012 06:56	APPROVED		
	DOCUMENTS - INVESTIGATION		6	Summary Report Digest	Y	CALDWELL, DAVID	04-APR-2012 07:15	APPROVED		

Attachments

Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ASSISTANT ADVOCATE REVIEW	ELARDE-HATZIS, BABETTE	SUBMITTED	SPARKS, SHERELL	SERGEANT OF POLICE	006	03-MAY-2012 12:01	CCR concurred with findings. CTR.
ASSISTANT ADVOCATE REVIEW	GAVIN, JAMES	SUBMITTED	SPARKS, SHERELL	SERGEANT OF POLICE	006	03-MAY-2012 12:01	CCR concurred with findings. CTR.
ASSISTANT ADVOCATE REVIEW		SUBMITTED	SPARKS, SHERELL	SERGEANT OF POLICE	006	12-APR-2012 09:35	Ready for CCR. To Advocate for review & forward onto CCR.
LIEUTENANT REVIEW		SUBMITTED	BRODERDORF, RAY	SERGEANT OF POLICE	121	06-APR-2012 07:39	
SERGEANT REVIEW		SUBMITTED	CANNIZZO, STEVEN	SERGEANT OF POLICE	121	06-APR-2012 07:25	

Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ADVOCATE OFFICE CLOSING STEPS	GAVIN, JAMES	SUBMITTED	SPARKS, SHERELL	SERGEANT OF POLICE	006	03-MAY-2012 01:13	CTR
ADVOCATE OFFICE CLOSING STEPS	ELARDE-HATZIS, BABETTE	SUBMITTED	SPARKS, SHERELL	SERGEANT OF POLICE	006	03-MAY-2012 01:11	CTR
COMMAND CHANNEL REVIEW	ELARDE-HATZIS, BABETTE	SUBMITTED	CALLOWAY, KEITH	LIEUTENANT OF POLICE	121	03-MAY-2012 06:47	
COMMAND CHANNEL REVIEW	GAVIN, JAMES	SUBMITTED	ESCALANTE, JOHN	FIRST DEPUTY SUPT.	140	18-APR-2012 02:58	
COMMAND CHANNEL REVIEW	GAVIN, JAMES	SUBMITTED	FLORES, LINDA	LIEUTENANT OF POLICE	141	18-APR-2012 11:14	
ADVOCATE OFFICE CLOSING STEPS	UNKNOWN,	SUBMITTED	SPARKS, SHERELL	SERGEANT OF POLICE	006	13-APR-2012 09:10	Closed for unknown accused only However, the investigative file is still routed to CCR, in that there are 2 other members named and listed as accused. Letter to complainant will be generated when investigation is returned from CCR.
COMMAND CHANNEL REVIEW	ELARDE-HATZIS, BABETTE	SUBMITTED	O GRADY, JAMES	COMMANDER	011	12-APR-2012 03:45	
ADVOCATE REVIEW	GAVIN, JAMES	SUBMITTED	ROWAN, JAMES	SERGEANT OF POLICE	121	12-APR-2012 09:37	
ADVOCATE REVIEW	UNKNOWN,	SUBMITTED	ROWAN, JAMES	SERGEANT OF POLICE	121	12-APR-2012 09:37	
ADVOCATE REVIEW	ELARDE-HATZIS, BABETTE	SUBMITTED	ROWAN, JAMES	SERGEANT OF POLICE	121	12-APR-2012 09:37	

Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
ELARDE-HATZIS, BABETTE	1. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALLOWAY, KEITH	03-MAY-2012 06:47	Y	Y	EXONERATED	
ELARDE-HATZIS, BABETTE	3. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALLOWAY, KEITH	03-MAY-2012 06:47	Y	Y	EXONERATED	
ELARDE-HATZIS, BABETTE	2. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALLOWAY, KEITH	03-MAY-2012 06:47	Y	Y	EXONERATED	
GAVIN, JAMES	1. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	ESCALANTE, JOHN	18-APR-2012 02:58	Y	Y	EXONERATED	
GAVIN, JAMES	1. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	FLORES, LINDA	18-APR-2012 11:14	Y	Y	EXONERATED	
ELARDE-HATZIS, BABETTE	1. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	O GRADY, JAMES	12-APR-2012 03:45	Y	Y	EXONERATED	
ELARDE-HATZIS, BABETTE	2. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	O GRADY, JAMES	12-APR-2012 03:45	Y	Y	EXONERATED	
ELARDE-HATZIS, BABETTE	3. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	O GRADY, JAMES	12-APR-2012 03:45	Y	Y	EXONERATED	
GAVIN, JAMES	1. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALDWELL, DAVID	04-APR-2012 07:15	Y		NOT SUSTAINED	
ELARDE-HATZIS, BABETTE	2. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALDWELL, DAVID	04-APR-2012 07:15	Y		NOT SUSTAINED	
GAVIN, JAMES	1. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALDWELL, DAVID	04-APR-2012 07:15			EXONERATED	

Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
ELARDE-HATZIS, BABETTE	3. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALDWELL, DAVID	04-APR-2012 07:15			EXONERATED	
ELARDE-HATZIS, BABETTE	1. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALDWELL, DAVID	04-APR-2012 07:15			EXONERATED	
ELARDE-HATZIS, BABETTE	2. The complainant, [REDACTED] alleges on 21 Jan 12, in the ...	CALDWELL, DAVID	04-APR-2012 07:15			EXONERATED	

Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
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Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
ELARDE-HATZIS, BABETTE	The complainant [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. That Police Officer Babette ELARDE-HATZIS, failed to call 911 after the accident.	010 GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY)		EXONERATED	
ELARDE-HATZIS, BABETTE	The complainant [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. That Police Officer Babette ELARDE-HATZIS the accused failed to exit her vehicle to render aid to anyone involved in the accident.	010 GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY)		EXONERATED	
ELARDE-HATZIS, BABETTE	The complainant [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. That Police Officer Babette ELARDE-HATZIS the accused gave false testimony in court, stating that he struck her vehicle.	010 GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY)		EXONERATED	
GAVIN, JAMES	The complainant [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations. Unknown Male/White Sergeant, attempted to convince the on duty officer on the scene to not issue off duty Police Officer Babette ELARDE-HATZIS a traffic citation.	007 GROUP 07 - TRAFFIC (NOT BRIBERY/EXCESSIVE FORCE)		EXONERATED	

FACE SHEET (Notification Date: 08-MAR-2012) - LOG #1052405

TYPE: CR

Reporting Party Information

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD Reporting Party Victim						M	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
21-JAN-2012 01:20 - 21-JAN-2012 01:20		1433	014	304 - STREET	

Accused Members

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	UNKNOWN,				ON Duty	The reporting party alleged that the accused attempted to convince the officer on the scene not to issue the off-duty officer a ticket.
CPD Employee	Accused	UNKNOWN,				OFF Duty	The reporting party alleged that he was involved in a traffic accident, with the accused, at which time she called her friends to the scene. Her friends arrived on the scene and attempted to intimidate him, in that they took pictures of him and his license plates. The accused failed to call "911" to report the accident, she refused to exit her vehicle and did not check to see if he or any of his passengers needed medical attention. The reporting party alleged that the accused gave a false testimony in court. The accused testified that he struck her vehicle and the intersection was not properly marked. Traffic Accident: RD

Incident Details

CR Required?		Manner Incident Received?	BELL
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Notify Chief?	
Notify Chief Administrator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

Initial Incident Category List

Initial Incident Category	Primary?
07Z - GROUP 07 - TRAFFIC (NOT BRIBERY/EXCESSIVE FORCE) MISCELLANEOUS	Y
07Z - GROUP 07 - TRAFFIC (NOT BRIBERY/EXCESSIVE FORCE) MISCELLANEOUS	Y

Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	GENERAL INVESTIGATION SECTION	PIONKE, JOSEPH (SUPERVISOR)	16-MAR-2012 14:23	SOLIS, MARCELLA	

Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	GENERAL INVESTIGATION SECTION	CALDWELL, DAVID (PRIMARY INV)	16-MAR-2012 14:23	SOLIS, MARCELLA	
IAD	GENERAL INVESTIGATION SECTION	COCHRAN, TERRANCE (PRIMARY INV)	16-MAR-2012 11:08	SOLIS, MARCELLA	
IAD	GENERAL INVESTIGATION SECTION	CANNIZZO, STEVEN (SUPERVISOR)	16-MAR-2012 11:08	SOLIS, MARCELLA	
IAD	GENERAL INVESTIGATION SECTION	-	09-MAR-2012 11:36	WATSON, JOHN	
IAD	INTERNAL AFFAIRS DIVISION	-	08-MAR-2012 08:52	TOPPINS, YOLANDA	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/FINAL	03-MAY-2012 01:13	SPARKS, SHERELL	POLICE AGENT	121 /	
PENDING IMPLEMENT ACTION	03-MAY-2012 12:01	SPARKS, SHERELL	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	03-MAY-2012 06:47	CALLOWAY, KEITH	DEP CHIEF	188 /	
PENDING COMMAND CHANNEL REVIEW	18-APR-2012 02:58	ESCALANTE, JOHN	DEP CHIEF	142 / 213	
PENDING COMMAND CHANNEL REVIEW	18-APR-2012 11:14	FLORES, LINDA	COMMANDER	014 /	
PENDING COMMAND CHANNEL REVIEW	12-APR-2012 03:45	O GRADY, JAMES	COMMANDER	189 /	
PENDING COMMAND CHANNEL REVIEW	12-APR-2012 09:37	ROWAN, JAMES	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE REVIEW	12-APR-2012 09:35	SPARKS, SHERELL	POLICE AGENT	121 /	
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	06-APR-2012 07:39	BRODERDORF, RAY	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	06-APR-2012 07:25	CANNIZZO, STEVEN	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	04-APR-2012 07:15	CALDWELL, DAVID	POLICE AGENT	121 /	
PENDING INVESTIGATION	16-MAR-2012 02:23	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	reassigned and swaped
PENDING INVESTIGATION	16-MAR-2012 11:08	SOLIS, MARCELLA	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	15-MAR-2012 10:32	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	
PENDING APPROVE TEAM	09-MAR-2012 11:36	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	08-MAR-2012 01:07	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	08-MAR-2012 01:06	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PRELIMINARY	08-MAR-2012 01:05	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	not to
PENDING SUPERVISOR REVIEW	08-MAR-2012 12:40	TOPPINS, YOLANDA	INTAKE AIDE	113 /	
PRELIMINARY	08-MAR-2012 11:56	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	08-MAR-2012 10:25	TOPPINS, YOLANDA	INTAKE AIDE	113 /	
PRELIMINARY	08-MAR-2012 08:52	TOPPINS, YOLANDA	INTAKE AIDE	113 /	

SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
COUNTY OF COOK) CC
)

Location of Incident [REDACTED]	Date 21 Jan 12	Time 1320
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Summary of Statement(s):

The complainant, [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations

Allegation #1: Unknown Male/White Sergeant, attempted to convince me [REDACTED] to have the on duty officer on the scene to not issue off duty Police Officer Babette ELARDE-HATZIS a traffic citation.

Allegation #2: That Police Officer Babette ELARDE-HATZIS, failed to call 911 after the accident.

Allegation #3: That Police Officer Babette ELARDE-HATZIS the accused failed to exit her vehicle to render aid to anyone involved in the accident.

Allegation #4: That Police Officer Babette ELARDE-HATZIS the accused gave false statement at the scene of the accident, stating that I struck her vehicle.

Allegation #5 That two unknown Male/White casually dressed Police Officers attempted to intimidate me during the accident.

I, [REDACTED] hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

[REDACTED]
Print Affiant's Name

P.A. David CALDWELL, Star 13646

Print Witness' Name

[REDACTED]
K [REDACTED]

Witness' Signature

21 Mar 12
Date

21 Mar 12
Date

BUREAU OF INTERNAL AFFAIRS
General Investigation Section

21 Mar 12
CR#1052405

To: Commanding Officer
Investigation Division
General Investigation Section

From: Police Agent David CALDWELL, Star 13646
Investigation Division
General Investigation Section

Subject: Signed Sworn Affidavit

Reference: CR#1052405

Allegation: The complainant [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED] during a traffic accident which was recorded under [REDACTED] alleged the following allegations.

Allegation #1: Unknown Male/White Sergeant, attempted to convince the on duty officer on the scene to not issue off duty Police Officer Babette ELARDE-HATZIS a traffic citation.

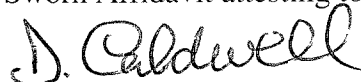
Allegation #2: That Police Officer Babette ELARDE-HATZIS, failed to call 911 after the accident.

Allegation #3: That Police Officer Babette ELARDE-HATZIS the accused failed to exit her vehicle to render aid to anyone involved in the accident.

Allegation #4: That Police Officer Babette ELARDE-HATZIS the accused gave false testimony in court, stating that he struck her vehicle.

R/I explained the Sworn Affidavit requirements and its' legal consequences to [REDACTED] prior to them detailing their complaint. R/I then summarized the complaint on the Sworn Affidavit and presented the Sworn Affidavit to the [REDACTED]

[REDACTED] then signed the Sworn Affidavit attesting to the truthfulness of his complaint.



P.A. David CALDWELL, Star 13646
Investigation Division
General Investigation Section

BUREAU OF INTERNAL AFFAIRS
General Investigation Section

21 Mar 12
CR#1052405

Complainant statement of [REDACTED] relative to the following allegations:

The complainant [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED] Ave, during a traffic accident which was recorded under [REDACTED] alleged the following allegations.

Allegation #1: Unknown Male/White Sergeant, attempted to convince me, [REDACTED] to have the on duty officer on the scene to not issue off duty Police Officer Babette ELARDE-HATZIS a traffic citation.

Allegation #2: That Police Officer Babette ELARDE-HATZIS, failed to call 911 after the accident.

Allegation #3: That Police Officer Babette ELARDE-HATZIS the accused failed to exit her vehicle to render aid to anyone involved in the accident.

Allegation #4: That Police Officer Babette ELARDE-HATZIS the accused gave false statement at the scene of the accident, stating that I struck her vehicle..

Allegation #5 That two unknown Male/White casually dressed Police Officers attempted to intimidate me during the accident

Statement taken at: Internal Affairs Division.

Questions asked and typed by Police Agent David CALDWELL, Star 13646, Unit 121.

Statement begun at: 0900 hours

CALDWELL: What is your full name, home address and telephone number?

[REDACTED] [REDACTED]
CALDWELL: Have you been advised that this is your complaint statement and that there are no allegations being made against you?
[REDACTED] Yes

CALDWELL: Do you read write and understand the English language?
[REDACTED] Yes

CR#1052405
Attachment # _____

Complainant statement of [REDACTED] {continued}

CALDWELL: Are you giving this statement of your own free will and without the promise of exoneration or of a reward of any nature being given to you?
[REDACTED] Yes

CALDWELL: Before we begin the formal question and answer statement, I am going to show you a document known as a Sworn Affidavit. Illinois law (50 ILCS 725/3.8) requires that anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit. According to Illinois law (735 ILCS 5/1-109), any person who files a false complaint may be subject to criminal charges or a civil suit.
[REDACTED] Yes

CALDWELL: Have I explained why a Sworn Affidavit is required and the legal consequences under Illinois State law?
[REDACTED] Yes

CALDWELL: Do you have any questions regarding the Sworn Affidavit?
[REDACTED] Are you stating to me that I'm making a false statement.

CALDWELL: This document is required to conduct the investigation of all the allegations you are making against members of the Chicago Police Department.
[REDACTED] Okay I understand it.

CALDWELL: On 21 Jan 12, you were involved in a traffic accident with Off-Duty Police Officer ELARDE-HATZIS, is this correct.
[REDACTED] Yes

CALDWELL: You are alleging that after the accident happened the accused did not call 911.
[REDACTED] Yes

CALDWELL: How did you know she did not call 911.
[REDACTED] I observed her on the telephone when I approached her vehicle. I asked her was she calling 911 and she said no. So at that time I called 911.

CALDWELL: But you informed her you were calling 911.
[REDACTED] Yes

CALDWELL: You are alleging that the accused failed to exit her vehicle to render aid to anyone involved in the accident.
[REDACTED] Yes

Complainant statement of [REDACTED] {continued}

CALDWELL: Were you hurt in the accident?

[REDACTED] I had minor pain from the accident.

CALDWELL: Did you require any medical attention.

[REDACTED] Not at that time, but later on I did.

CALDWELL: So when you called 911 for help did you informed them you needed medical attention.

[REDACTED] No I did not

CALDWELL: When the On-Duty Officer arrived on the scene did you inform her you needed medical attention.

[REDACTED] No I did not.

CALDWELL: You are alleging that the accused gave a false statement to the On-Duty Officer, at the scene, stating that you struck her vehicle.

[REDACTED] Yes

CALDWELL: Where were you when you heard this.

[REDACTED] I was right by the officer car when she was talking with the officer that arrived.

CALDWELL: Did the On-Duty Officer write it the way the accused stated.

[REDACTED] I'm not sure.

CALDWELL: You are alleging that two unknown Male/White casually dressed Police Officers came on the scene.

[REDACTED] Yes

CALDWELL: How do you know if they were Police Officers.

[REDACTED] When they arrived they went immediately to the vehicle of the officer who hit my car.

CALDWELL: Could the two males have been family members.

[REDACTED] I'm not sure, but they took pictures of my car and license plate.

CALDWELL: [REDACTED] this is not abnormal for someone to take pictures of vehicles involved in an accident. Did you take any pictures.

[REDACTED] Yes I did

CALDWELL: Did the two males say anything to you.

[REDACTED] No, they just talked with the Police Officer and the Sergeant that arrived.

Complainant statement of [REDACTED] continued}

CALDWELL: You are alleging that an unknown Male/White Sergeant, attempted to convince you, to have the On-Duty Officer on the scene to not issue the accused a traffic citation.

[REDACTED] Yes

CALDWELL: Did the Sergeant inform you there was no need for a ticket.

I [REDACTED] He stated it was not necessary to issue her a ticket but I insisted that she should be given one.

CALDWELL: Was the accused given a ticket.

[REDACTED] Yes

CALDWELL: I will briefly summarize your allegations on the Sworn Affidavit. Does this summary accurately reflect your complaint?

[REDACTED] Yes

CALDWELL: Do you have anything you wish to add or clarify?

[REDACTED] No not at this time

CALDWELL: After reviewing the questions asked and the responses given by you, and upon reading the summary of your allegations, are you prepared to sign the Sworn Affidavit attesting to the truthfulness of your complaint.

[REDACTED] Yes

Statement concluded at: 1000 hours.

[REDACTED]

D. Caldwell

Police Agent David CALDWELL #13646

ILLINOIS TRAFFIC CRASH REPORT

Sheet 1 of 1 Sheets

1 DRAC U1 1	2 PEDV U2 99	3 TRFD 3 4	4 TRFC 4 1	5 WEAT 5 2	6 DRVA U1 1	7 VIS U2 1	8 VEHU U1 1	9 LGHT U2 1	10 COLL U1 10	11 MANV U2 3	12 PPL U1 1	13 PPL U2 99
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INVESTIGATING AGENCY
CHICAGO POLICE DEPARTMENT

37 DAMAGE TO ANY ONE PERSON'S VEHICLE / PROPERTY
☐ \$500 OR LESS
☐ \$501 - \$1,500
☒ OVER \$1,500

TYPE OF REPORT
☒ ON SCENE
☐ NOT ON SCENE (DESK REPORT)
☐ AMENDED

31 ☐ A No Injury / Drive Away
☒ B Injury and / or Tow Due To Crash

32 ☐ C No Injury / Drive Away
☒ D Injury and / or Tow Due To Crash

33 ☐ E No Injury / Drive Away
☒ F Injury and / or Tow Due To Crash

14 TRFW
8

34 ADDRESS NO (CIRCLE) HIGHWAY or STREET NAME
[REDACTED]

CITY
CHICAGO

INTERSECTION RELATED
☒ Yes
☐ No

35 DATE OF CRASH
01/21/12

TIME
1:20 PM

BEAT OF OCCURRENCE
1433

15 VEH
U1 1

36 DATE OF CRASH
01/21/12

TIME
1:20 PM

BEAT OF OCCURRENCE
1433

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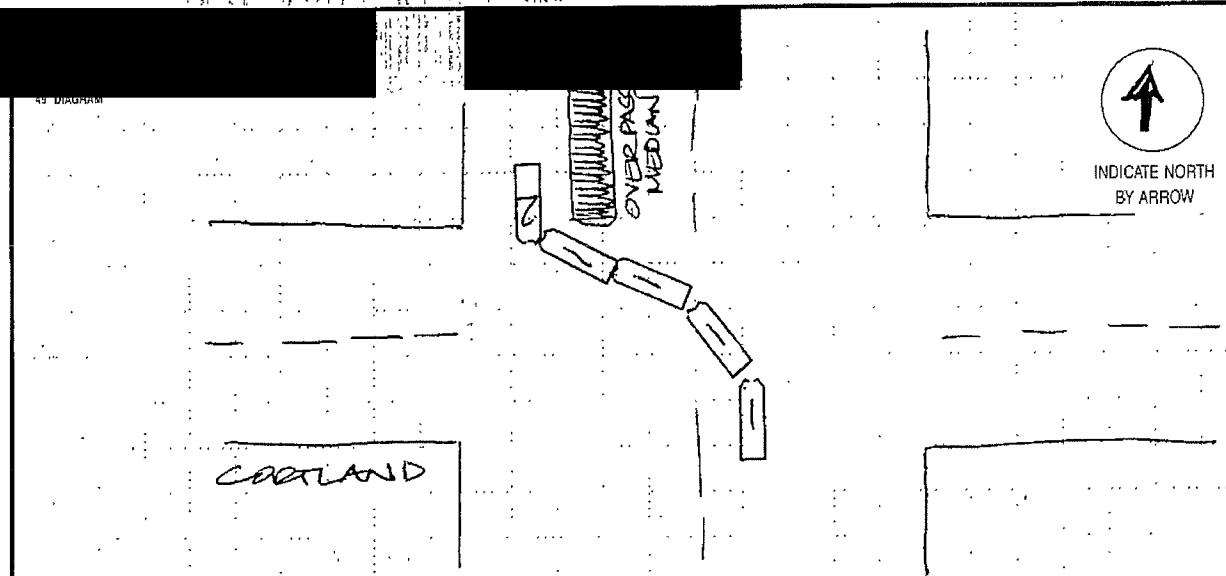
Printed by authority of the State of Illinois

SR 1050C JANUARY 2010

REMEMBER TO USE BLACK INK, PRESS HARD, PRINT LEGIBLY AND COMPLETE ALL REQUIRED FIELDS!

IF YES TO HAZMAT SPILL OR COM VEH, COMPLETE COMMERCIAL MOTOR VEHICLE AREA ON BACK.

CPD 0068204



50 NARRATIVE (R) [redacted] (n/t No.)
EVENT# [redacted] IN SUMMARY, UNIT#1 RELATED THAT SHE WAS
ATTEMPTING TO MAKE LEFT HAND TURN AND VEHICLE HAD LEFT
STALLING. UNIT#1 ENTERED INTERSECTION AND STRUCK UNIT#2
WHO WAS S/B [redacted] FRONT END DAMAGE TO
BOTH VEHICLES AND BOTH VEHICLES TOWED. UNIT#1
AND UNIT#2, BOTH OCCUPANTS, REFUSED SEVERAL REQUESTS
BY RFO FOR MEDICAL ATTENTION. UNIT#2 STATED HE WOULD
SEEK OWN FOR A SORE HAND. BOTH VEHICLES TOWED DUE
TO FRONT END DAMAGE FROM CRASH. UNIT#1 CITED
FOR NO LEFT TURN.

59 HIT & RUN WANTED DRIVER	SEX - RACE	AGE	HAIR COL	DISTINGUISHING MARKS / CLOTHING DESCRIPTION	UNIT NO. VEH. COLOR
MAIU ONLY	OFFICER ASSIGNED STAR NO	DATE ASSIGNED	SUPV STAR NO	IF CASE CLEARED HOW <input type="checkbox"/> ARREST PROSECUTION	CITATION NO
COURT RM.	COURT DATE	TIME	AM PM	CHARGES <input type="checkbox"/> EXD. CLEARED	
SUSPENDED	<input type="checkbox"/> TIM CANNOT ID OFFENDER <input type="checkbox"/> LETTER TO CONTACT RETURNED BY POST OFF <input type="checkbox"/> VEH. REGISTRATION UNAVAILABLE	<input type="checkbox"/> NO INVESTIGATIVE LEADS <input type="checkbox"/> WARRANT OBTAINED <input type="checkbox"/> INSUFFICIENT EVIDENCE FOR ARREST	<input type="checkbox"/> VEH. STOLEN-RO NO <input type="checkbox"/> OTHER (Specify)		
PREPARED BY - SIGNATURE	STAR NO	DATE (Day-Mo.-Yr)	APPROVED BY-SIGNATURE	STAR NO	

51 **COMMERCIAL MOTOR VEHICLE (CMV)**

IF MORE THAN ONE CMV IS INVOLVED, USE SR 1050A
ADDITIONAL UNITS FORMS.

A CMV is defined as any motor vehicle used to transport
passengers or property and:
1. Has a weight rating of more than 10,000 pounds (example: truck
or truck/trailer combination); or
2. Is used or designed to transport more than 15 passengers,
including the driver (example: shuttle or charter bus); or
3. Is designed to carry 15 or fewer passengers and operated by a
contract carrier transporting employees in the course of their
employment (example: employee transporter - usually a van-type
vehicle or passenger car); or
4. Is used or designed to transport between 9 and 15 passengers,
including the driver, for direct compensation beyond 75 air miles
from the driver's work reporting location (example: large van used
for specific purpose); or
5. Is any vehicle used to transport any hazardous material
(HAZMAT) that requires placarding (example: placards will be
displayed on the vehicle).

CARRIER NAME _____
ADDRESS _____
CITY/STATE/ZIP _____

54 USDOT NO. _____ ILCC NO. _____

52 Source of above info ☐ Side of Truck ☐ Papers ☐ Driver ☐ Log Book

53 Gross Vehicle Weight Rating (GVWR) _____

Were HAZMAT placards displayed on the vehicle? ☐ Yes ☐ No

55 If yes, name on placard _____
4-digit UN no. _____ 1-digit Hazard Class no. _____

Did HAZMAT spill from the vehicle (do not consider fuel from the
vehicle's own tank)? ☐ Yes ☐ No ☐ Unknown

Did HAZMAT Regulations violation contribute to the crash?
☐ Yes ☐ No ☐ Unknown

Did Motor Carrier Safety Regulations (MCS) violation contribute to
the crash? ☐ Yes ☐ No ☐ Unknown

Was a Driver/Vehicle Examination Report form completed?
HAZMAT ☐ Yes ☐ No ☐ Unk Out of Service? ☐ Yes ☐ No
MCS ☐ Yes ☐ No ☐ Unk Out of Service? ☐ Yes ☐ No
Form No. _____

56 IDOT PERMIT NO. _____ WIDE LOAD? ☐ Yes ☐ No

TRAILER WIDTH(S): 0-96" 97-102" >102"
57 TRAILER 1 ☐ ☐ ☐
TRAILER 2 ☐ ☐ ☐

TRAILER LENGTH(S): 1 _____ ft TRAILER 2 _____ ft
TOTAL VEHICLE LENGTH _____ ft NO. OF AXLES _____

CRASH LOCATION: ☐ CITY OF OR ☐ NEAREST CITY
_____ MILES N E S W OR **CHICAGO**
CIRCLE ONE CITY NAME

SELECT CODES FROM BACK COVER OF CRASH BOOKLET:
VEHICLE CONFIGURATION _____
CARGO BODY TYPE _____ LOAD TYPE _____



Department of Police * City of Chicago
3510 South Michigan Avenue * Chicago, Illinois 60653

Date 19 Mar 12

Re: C. L. No. 1052405

Dear [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

Please contact me as soon as possible so that I can make arrangements to meet with you regarding the incident under investigation. The following information is provided so that you can contact me without unnecessary inconvenience:

Name: P. A. DAVID CALDWELL, 13646

Address: 3510 S. MICHIGAN, 5TH FLOOR

Telephone: 312-745-6310

Hours Available: 8:00 AM - 2:00 PM

Sincerely,

D. Caldwell

CPD-44.223 (REV. 1/07)

Emergency: 9-1 -1 * Non-Emergency: (Within City limits) 3-1 -1 * Non-Emergency: (Outside City limits) 312-746-6000
TTY: 312-746-9715 * E-mail: police@ci.chi.il.us * Website: www.ci.chi.il.us/CAPS

CPD 0068206

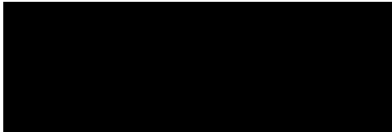


City of Chicago
Department of Police
 3510 South Michigan Avenue
 Chicago, Illinois 60653

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

P.A. CALDWELL UNIT 121

OFFICIAL USE

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

Postmark
Here
 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS. FOLD AT DOTTED LINE
CERTIFIED MAIL™

English

Customer Service

USPS Mobile

Register / Sign I



Search USPS.com or Track Packages

Quick Tools

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solution

Track & Confirm

PRINT DETAILS

YOUR LABEL NUMBER



SERVICE

STATUS OF YOUR ITEM

DATE & TIME

LOCATION

FEATURES

Notice Left

March 21, 2012, 1:59 pm

NAPERVILLE, IL 60563

Certified Mail™

www.usps.com/redelivery or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed after 15 days then it will be returned to the sender. Information, if available, is updated periodically throughout the day. Please check again later. >

Processed through
USPS Sort Facility

March 21, 2012, 2:42 am

FOX VALLEY, IL 60539

Check on Another Item

What's your label (or receipt) number?



LEGAL
OTHER USPS SITES

ON USPS.COM

ON ABOUT.USPS.COM

014th District

27 March 12

To: Commander I.A.D Division
From: Sgt James M Gavin
Subject: Response to Log # 1052405

This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse.

On 21 Jan 2012 R/Sgt was called to the scene of an accident at [REDACTED] involving an off duty Chicago Police Officer. R/Sgt arrived and spoke with the investigating P/O J. Butzen and determined that off duty P/O Babette made a left turn in violation. R/Sgt instructed P/O Butzen to issue P/O Babette a citation and to inform the driver involved of the court date.

Approved:

A handwritten signature in black ink, appearing to read "Sgt James M Gavin", written over a horizontal line.

ORGANIZED CRIME DIVISION
NARCOTICS SECTION

30 March 2012

TO: Commander J. O'Grady # 556
Narcotics Section

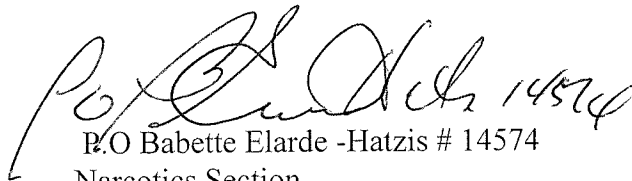
FROM: P.O Babette Elarde -Hatzis # 14574
Narcotics Section

SUBJECT: Complaint Log #1052405

1. On January 21, 2012 R/O was involved in an Off Duty traffic accident in the area of [REDACTED] under RD [REDACTED] R/O did not notify 911 as alleged because due to the impact of the accident R/Os purse containing all personal property including cell phone were strewn about the vehicle, R/O could not immediately locate the cell phone due to feeling disoriented.

2. R/O could not exit the vehicle to render aid to herself or any other party do to the fact as a result of the accident R/O's doors were jammed, it was not until a tow truck driver forced the door open was R/O capable of exiting the vehicle, at this time the beat car assigned the accident was then on scene.

3. R/O was still disoriented and shaken at which time when asked R/O does not recall what was said about whom hit whom only that it was a accident. R/O never gave false statement about [REDACTED] R/O never spoke to [REDACTED] about the accident. At any time R/O denies these allegations.


P.O Babette Elarde -Hatzis # 14574
Narcotics Section

Approved:

Commander
Narcotics Section

014 DISTRICT

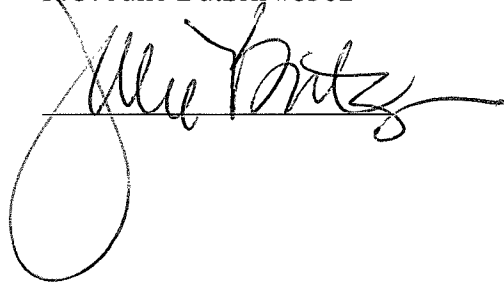
27 MARCH 2012

TO: Commander IAD
FROM: P.O. Julie Butzen #8582
SUBJECT: Witness Report - CR# 1052405

This statement is not being given voluntarily, but under duress. I am only giving this statement at this time because I know I could lose my job if I refuse.

On 21 March 2012, R/O responded to an accident at [REDACTED]. R/O determined shortly after her arrival, an off-duty P.O. was also involved in the accident. R/O requested a sergeant on the scene and Sgt. Gavin responded. After determining how the accident occurred and taking statements from both parties, R/O determined P.O. Babette Hatzis to be in violation of the left turn law. After conferring with Sgt. Gavin, Sgt. Gavin requested that I issue P.O. Hatzis a citation and inform the other driver of the court date and location.

R.O. Julie Butzen #8582

A handwritten signature in black ink, appearing to read "Julie Butzen", is written over a horizontal line. The signature is stylized with a large loop at the end.

APPROVED:

BUREAU OF INTERNAL AFFAIRS
General Investigation Section

03 Apr12
CR#1052405

To: Commanding Officer
Investigation Division
General Investigation Section

From: Police Agent David CALDWELL, Star 13646
Investigation Division
General Investigation Section

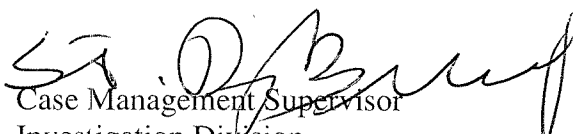
Subject: Approval of Complaint Log Investigation 1052405

The attached Complaint Log Investigation has been completed and
is submitted for your approval.



P.A. David CALDWELL, Star 13646
Investigation Division
General Investigation Section

Approved:



Case Management Supervisor
Investigation Division
General Investigation Section

1125
3 APR 12

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1052405

TYPE

CR

DATE OF REPORT

03-APR-2012

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED**, **UNFOUNDED**, **NOT SUSTAINED**, **NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
CALDWELL, DAVID	9174	13646		121	

REFERENCE NOS (LIST ALL RELATED C L , C.B , I R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS:		DATE / TIME 21-JAN-2012 13:01	BEAT: 1433
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
ELARDE-HATZIS, BABETTE S	9161	14574		189		F / S		27-FEB-1991	NO	YES
GAVIN, JAMES M	9171	1581		014		M / WHI		24-APR-1991	YES	YES
UNKNOWN						/			UNK	UNK

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				M / WHI	/ 47

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				M / WHI	0 / 47

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
BUTZEN, JULIE	RANK: 9161, STAR NO. 8582, EMP NO:			F / WHI	/ 44

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS IN ADDRESS, PAX/BELL IN TELEPHONE BOX

ALLEGATIONS

Note. Complaint Log "Type" is classified CR – Sworn Affidavit on File

The complainant, [REDACTED] alleges on 21 Jan 12, in the area of [REDACTED], during a traffic accident which was recorded under [REDACTED] alleged the following allegations.

Allegation #1: Unknown Male/White Sergeant, attempted to convince me, [REDACTED] to have the on duty officer on the scene to not issue off duty Police Officer Babette ELARDE-HATZIS a traffic citation

Allegation #2: That Police Officer Babette ELARDE-HATZIS, failed to call 911 after the accident.

Allegation #3: That Police Officer Babette ELARDE-HATZIS the accused failed to exit her vehicle to render aid to anyone involved in the accident

Allegation #4: That Police Officer Babette ELARDE-HATZIS the accused gave false statement at the scene of the accident, stating that I struck her vehicle

Allegation #5 That two unknown Male/White casually dressed Police Officers attempted to intimidate me during the accident.

SUMMARY

SEE ATTACHED PAGE THREE

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE
5	6, 9, 11, 13	None	13

FINDINGS - RECOMMENDATIONS

Accused#1: Police Officer Babette ELARDE-HATZIS, Star 14574
Allegation#2: EXONERATED: The complainant dialed 911 after conferring with the accused.
Allegation#3: EXONERATED: The accused was trapped in her vehicle and could not exit.
Allegation#4: EXONERATED: The accused was at fault in the accident and the report was written as so.

Accused#2: Sergeant James GAVIN, Star 1581
Allegation#1: EXONERATED: The accused after conferring with the on-duty officer recommended a traffic citation to be issued.

Accused#3: Unknown
Allegation#5: UNFOUNDED: Unable to prove or disproved if other police officers were on the scene.

DATE INITIATED
(Date incident was received for investigation)

16-MAR-2012

DATE COMPLETED (Date of this report)

03-APR-2012

ELAPSED TIME
(Total time expressed in days)

18

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section

INVESTIGATOR'S SIGNATURE

D. Caldwell

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

CPD 0068214

The complainant, [REDACTED], was involved in a traffic accident with Off-Duty Police Officer Babette ELARDE-HATZIS, Star 14574, which was recorded under RD# [REDACTED]. [REDACTED] is alleging that the accused failed to call 911, failed to render aid and also gave a false statement about the accident. [REDACTED] further alleged that when Sergeant James GAVIN, Star 1581, arrived on the scene he attempted to convince the On-Duty Police Officer to not issue ELARDE-HATZIS a traffic citation. [REDACTED] further alleged two unknown plain clothes police officers arrived on the scene in an attempt to intimidate him.

The undersigned on 21 Mar 12, met with [REDACTED] at Internal Affairs Division. The undersigned presented [REDACTED] with the Sworn Affidavit as required by the Uniformed Peace Officers Act. The undersigned explained the Sworn Affidavit requirements and its' legal consequences. [REDACTED] stated he understood and signed it.

[REDACTED] stated after his vehicle was hit by Police Officer ELARDE-HATZIS, he approached her vehicle and observed her on the telephone and inquired as to whether she was dialing 911. [REDACTED] stated the accused said no and he proceeded to call 911. [REDACTED] stated during this time the accused never exited her vehicle, to render aid or even when the police officers arrived. [REDACTED] stated he heard the accused give a false statement of the account of the accident to the On-Duty Officer.

[REDACTED] stated when the supervisor arrived on the scene he attempted to have the On-Duty officer not issue the accused a traffic citation. [REDACTED] stated when he insisted she was given a traffic citation.

[REDACTED] stated two unknown male/white casually dressed police officers came on the scene and immediately went to see about the ELARDE-HATZIS. [REDACTED] stated they began to take pictures of his vehicle. [REDACTED] stated he assumed they were police officers but could not be sure. [REDACTED] could provide not any other information of the alleged subjects.

Police Officer Julie BUTZEN, Star 8582, conducted the investigation into the traffic accident. BUTZEN investigation concluded that ELARDE-HATZIS made an improper left hand turn which caused the accident. BUTZEN had requested a supervisor to the scene and after conferring with him issued a traffic citation. BUTZEN stated in her report both subjects refused medical treatment.

Sergeant James GAVIN, denied the allegation of trying to convince the On-Duty officer to not issue a traffic citation. GAVIN stated when he arrived and determined the situation he recommended a citation to be issued and informed [REDACTED] of the court date.

Police Officer Babette ELARDE-HATZIS is denying all allegations. ELARDE-HATZIS admits to having the traffic accident and during that time was disoriented and did not call 911 immediately. ELARDE-HATZIS stated she could not exit her vehicle to render aid, due to the fact her vehicle doors were jammed. It was not until the tow truck driver arrived she was able to exit the vehicle. ELARDE-HATZIS stated she did give her account of the accident to the On-Duty officer and never made a false statement or made any statement to [REDACTED]

The evidence gathered in this investigation against Sergeant GAVIN, supports a finding of EXONERATED. GAVIN after coming on the scene did request that Police Officer BUTZEN, issued off-duty officer Babette ELARDE-HATZIS a traffic citation.

The evidence gathered in the investigation against Police Officer Babette ELARDE-HATZIS, supports a finding of EXONERATED. ELARDE-HATZIS did not call 911 immediately but, [REDACTED] did after checking to see she was okay. ELARDE-HATZIS stated her vehicle door were jammed which is why she did not leave her vehicle. ELARDE-HATZIS stated she did not give a false statement to the on-duty officer and did not give any statement to Mr. HATZIS.

Mr. HATZIS could not provide any other evidence of the two alleged plain clothes officers who came on the scene. [REDACTED] was not sure if they were family members or the police as they did not speak to him.

Attachments

No.	Type	Related Person	No. of Pages	Narrative
1	FACE SHEET	N/A		
2	CONFLICT CERTIFICATION	N/A		
3	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	Signed Sworn Affidavit
4	REPORT (OTHER)	N/A	1	Signed Affidavit Report
5	COMPLAINANT STATEMENT	N/A	4	Statement of [REDACTED]
6	TRAFFIC CRASH REPORT	N/A	2	[REDACTED]
7	ATTEMPT TO CONTACT	N/A	3	Mailed Certified Letter 19 Mar 12
8	ACCUSED NOTIFICATION OF ALLEGATIONS FOR GAVIN, JAMES	ACCUSED - GAVIN, JAMES		
9	STATEMENT OF POLICE OFFICER	N/A	1	Report of Sergeant James GAVIN
10	ACCUSED NOTIFICATION OF ALLEGATIONS FOR ELARDE-HATZIS, BABETTE	ACCUSED - ELARDE-HATZIS, BABETTE		
11	STATEMENT OF POLICE OFFICER	N/A	1	Report of Police Officer Babette ELARDE-HATZIS
12	WITNESS NOTIFICATION FOR BUTZEN, JULIE	WITNESS - BUTZEN, JULIE		
13	WITNESS REPORT	N/A	1	Report of Police Officer Julie BUTZEN, Star 8582